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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

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11 OMAR MARTINEZ-RODRIGUEZ,  
12 Plaintiff,

13 v.

14 WARDEN BIRKHOLZ, FCI LOMPOC,  
15 Defendants.

Case No. 23-CV-8677-SPG (AS)

**ORDER ACCEPTING FINDINGS,  
CONCLUSIONS AND  
RECOMMENDATIONS OF UNITED  
STATES MAGISTRTE JUDGE  
[ECF NO. 16]**

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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all of the records  
18 herein, and the attached Report and Recommendation of United States Magistrate Judge to  
19 which no objections were filed. Accordingly, the Court concurs with and accepts the  
20 findings and conclusions of the Magistrate Judge.

21 IT IS ORDERED that Judgment be entered denying the Petition and dismissing this  
22 action without prejudice.

23 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the

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1 Magistrate Judge's Report and Recommendation, and the Judgment herein on counsel for  
2 Petitioner and counsel for Respondent.

3 **IT IS SO ORDERED.**

4 DATED: November 21, 2024



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HON. SHERILYN PEACE GARNETT  
UNITED STATES DISTRICT JUDGE